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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masao OHMORI

Group Art Unit: 2821

Application No.: 10/614,509

Examiner: E. Alemu

Filed: July 8, 2003

Docket No.: 116470

For: LIGHT-EMITTING ELEMENT DRIVING DEVICE

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the November 16, 2004 Election of Species Requirement, Applicant provisionally elects Species I, Figure 1, with traverse. It is respectfully submitted that at least claims 1-3 read on the provisionally elected Species. At least claim 18 is generic to all species.

It is also respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid

unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: December 14, 2004

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